



PATENT
Attorney Docket: 056159-5042-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Leo Frenken et al.**)
Application No. 09/737,476)
Filed: **December 18, 2000**) Group Art Unit: 1638
For: **PRODUCTION OF ANTIBODIES**) Examiner: **C. E. Collins**

NOTICE OF APPEAL TO BOARD OF PATENT APPEALS & INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated December 29, 2005 of the Examiner finally rejecting claims 1, 7, 9 and 16.

The Commissioner is hereby authorized to charge **\$500.00** to Deposit Account No. 50-0310 for payment of the Notice of Appeal fee as set forth on the accompanying transmittal form.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **June 29, 2006**
Morgan, Lewis & Bockius LLP
Customer No. 09629
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP

Robert Smyth

Robert Smyth
Registration No. 50,801

06/30/2006 SZEWDIE1 00000065 500310 09737476
01 FC:1401 500.00 DA